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Issues Associated with New Developments and Transfers: A West Slope Perspective

Eric Kuhn

Colorado River Water Conservation District

June 9, 2000

PRESENTATION OUTLINE

Eric Kuhn

I. BACKGROUND AND SETTING

A. The Historical Perspective

1. Competition and conflict between the East Slope and West Slope began early in the 20th century.
 - a. By the late 1800s, the Platte River was fully appropriated for agricultural purposes, construction of the Grand River Ditch began in the 1890s.
 - b. Delph Carpenter recognized that the importation of Colorado River water to the Platte River would be needed. Five of the seven Colorado River Compact basin states viewed the export of water as a critical issue, and one that needed to be allowed under the Colorado River Compact.
2. The West Slope viewed water development as a means of promoting settlement, growth and stable communities in what would otherwise be a "wasteland."
 - a. In the 1930s, the Colorado Planning Commission appointed a committee to address water issues. In transmitting the Planning Commission Report to the General Assembly and Governor, Commission Chairman George M. Corlett made the following statement that, in my view summarizes the prevalent attitude:

"During the last year I visited most of the larger conservation projects in the Rocky Mountain Region. In Oregon, California, Arizona and New Mexico, and in every case where people are provided with a well regulated water supply I found good churches, good roads, good schools, well built buildings and generally prosperous communities. On the contrary where unregulated water supplies prevail, almost universally I found log school houses, unimproved roads, wire fences and inferior livestock, and the people in most cases appeared more or less run down at the heel. These conditions appeared to prevail

apparently irrespective of the cost of the regulatory works which undoubtedly constitute a serious burden in many localities. The one thing I think that impressed me more than any other was this-the numerous instances in which people have been able to irrigate the same area with actually less water with a regulated supply than formerly used on the same land with an unregulated supply.

"Personally I feel that this water situation is the most important matter before the people of Colorado today, and in my opinion the people of Colorado should not only urge, but demand, that our state administration and representative in Congress immediately, actively take up the cudgel in our defense and institute and continually prosecute a general program for the defense and improvement of our water supply, and that we impress upon them that they must make the development of this program their first and primary obligation and duty to the state."

3. Many on the West Slope viewed transmountain diversions as lost economic opportunity. An acre foot diverted to the East Slope is an acre foot not available for use on the West Slope.
 - a. Initially, the West Slope did not view the diversion of Colorado River water to the East Slope for municipal purposes as a significant threat. Denver was considered "the Queen Cities of the Plains" and what is good for our capital city is good for the West Slope.
 - b. It was clearly contemplated that major development would be financed and constructed by the federal government (the Bureau of Reclamation and the Corps of Engineers).
 - c. While preserving development potential was clearly a high priority, environmental and recreation values were always concerns. The principles embodied in Senate Document 80 include the preservation of fishing and recreation.

B. The West Slope Today

1. The landscape and economy has been significantly influenced by federal water development.
 - a. The Colorado-Big Thompson Project and Green Mountain Reservoir.

- b. The Fryingpan-Arkansas Project and Ruedi Reservoir.
 - c. The Aspinall Unit on the Gunnison River.
 - d. The Silt, Colbran, Paonia, Smith Fork, Fruitgrowers, Dallas Creek, Botwick Park, Gunnison-Uncompahgre and Grand Valley projects.
2. West Slope water is a major source of municipal water for Front Range communities from North to South:
- a. Pueblo
 - b. Colorado Springs
 - c. Englewood
 - d. Aurora
 - e. Littleton
 - f. The City and County of Denver
 - g. Denver's distributors and suppliers
 - h. Thornton
 - i. The Northern Front range core cities - Boulder, Longmont, Loveland, Greeley and Fort Collins
 - j. Numerous smaller Northern Front Range communities with C-BT or Windy Gap shares from Broomfield to Fort Morgan
3. The West Slope economy is booming. West Slope growth rates are similar to, or higher than, those on the Front Range.
- a. March 10, 2000 Daily Sentinel headlines included "Ouray County Booming." From 1990 to 1999 Ouray County grew 51% and the West Slope about 30%.
 - b. Quality of life, recreation and environmental values are fueling the current West Slope growth.
 - c. Water demands are changing, the current growth is not highly consumptive, but the public demands high quality water for instream, aesthetics and recreation purposes.
 - d. Preserving water for more traditional consumptive uses such as oil shale and preserving agricultural supplies remain high priorities.

4. Pressure on the West Slope to supply further water for Front Range growth continues to escalate:
 - a. The Union Park Project
 - b. Senate Bill 99-215 (and whatever the future might bring)
 - c. The El Paso County Water Authority Study
 - d. Conjunctive-use project concept for the Southern Metro Area.
 - e. Windy Gap Firming Project
 - f. Southeastern Colorado Storage Needs Assessment

II. WEST SLOPE PERSPECTIVE ON NEW DEVELOPMENTS

A. The West Slope is Very Diverse

1. Headwater Counties versus areas, less impacted by transmountain diversions.
2. Traditional water constituent concerns.
3. New residents with little understanding of water issues.
4. Regional economic differences.

B. West Slope Concerns (from South to North)

1. Southeastern Colorado Storage Needs Assessment
 - a. Opposition to proposals to amend the Warren Act of pass Excess Capacity Act, but we're exploring ways to address our concerns.
 - b. Possible support for a Pueblo Reservoir enlargement if it enhances reuses and exchange opportunities, need more technical information.
 - c. Concern that water repayment to Kansas will come (by exchange) from the West Slope.
 - d. The recent hot action in transbasin diversions has been moving Arkansas River agricultural water to the Front Range. Has the low hanging fruit been picked?
2. Colorado Springs/El Paso County

- a. Is rural El Paso County the next groundwater problem area?
 - b. Implementation of the Eagle river MOU offers additional water for Colorado Springs, but when is it needed?
3. Southern Metro Area/AKA/ Baja Denver
 - a. The River District, Denver Water and Douglas County Water Authority are involved in a joint study (DCWRA).
 - b. What are the real facts concerning Denver Basin groundwater development versus the myths?
 - c. Can we find a win-win-win solution that protects Summit County?
 - d. Denver and Northern are working with Summit and Grand Counties (UPCO study).
 - e. The DCWRA study and UPCO studies will be integrated.
4. Core Denver and its Distributors
 - a. Do the metro area definition and other limitations in the Blue River decree have any real meaning?
 - b. The West Slope is watching the Denver-Thornton case very carefully.
 - c. The River District is encouraged by Denver's efforts on the non-potable reuse project and the L.I.R.F. project.
 - d. Maintaining Denver's surplus has become important to Summit County. Is the lesson in the Thornton case that lawyers who go after Denver's surplus are cheaper than new projects?
 - e. What is the future of remnants of the Denver Water empire like the Eagle-Colorado and Eagle Piney Projects?
5. The Other Metro Suburbs
 - a. Will the City of Aurora finally strike gold and if so, will it be in Park County, Eagle County or the Arkansas Valley?

- b. Is there any future for cooperation in the Northern metro suburbs or will the gladiators prevail?
- c. How far south will Northern's Southern Project reach and will Thornton and Cheyenne soon be neighbors?

6. The Northern Front Range Cities

- a. What will be the future salutation of the Windy Gap Firming Project-Chimney Hollow, Jasper or joining the Battleship Missouri in the moth-balled fleet?
- b. The C-BT project was built as a supplemental irrigation supply. It is now primarily a municipal and industrial water supply. What are the implications of this change? Can it be reversed?
- c. Is the C-BT now a base-load water supply, not a supplemental supply? Are the C-BT power operations the tail that wags the dog?

7. Endangered Species and Environmental Concerns.

- a. Will the three-state agreement succeed and evolve into an effective recovery effort? If so, what are the implications for the West Slope? Will preserving Platte River baseflows make it more difficult for Denver and others to reuse transmountain effluent? Will the "Robatham" paradox - more people on the Front Range equals more water for the Platte be Colorado's salutation?
- b. The Upper Basin Recovery Program appears to be on the road to success, but many tough questions remain.
 - What are the "recovery goals" and can these goals be achieved in a reasonable time period?
 - Has the PBO concept, which was successful in the Colorado River Basin and under development in the Yampa River define how Colorado can develop its remaining compact entitlement?
 - How will the 15 Mile Reach PBO beneficiaries meet their long term obligation to provide 10,825 a.f. of water? Is the

current CFOPS effort just buying time or will it provide results?

- c. Where will the current source water assessment program lead? Will Front Range communities with transmountain sources have a say in future growth upstream of diversion points? Will meeting the quality needs on the Platte River drain Dillon Reservoir?

8. River District Transmountain Diversion Policy

- a. In March 2000, the River District Board adopted (or perhaps restated) a transmountain diversion policy. A copy is attached.